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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/765,287

01/27/2004

William M. Andre

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9184

7590

06/30/2006

William M. Francis
Reising, Ethington, Barnes, Kisselle, P.C.
P.O. Box 4390
Troy, MI 48099-4390

EXAMINER

ABDELWAHED, ALI F

ART UNIT

PAPER NUMBER

3722

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/765,287

Applicant(s)

ANDRE ET AL.

Examiner

Ali Abdelwahed

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,7,9-12,17 and 19-23 is/are rejected.
- 7) ☒ Claim(s) 3-6,8,13-16 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/27/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 10 and 12-20 are objected to because of the following informalities:

It is suggested that in:

Claim 10, line 2, before "...workpiece..." delete "the" and insert --a--.

Claim 10, line 3, before "...fluid pressure..." delete "the".

Claims 12-20, line 1, delete "workholding".

Claim 12, lines 2 and 4, delete "drive member" and insert --diaphragm--.

Claim 12, line 3, delete "driven member" and insert --collet--.

Claim 20, line 1, delete "1" and insert --11--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 7, 9, 11, 12, 17, 19, and 21-23 are rejected under 35

U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,429,376 to Mueller et al.

Mueller et al. discloses an apparatus (C) to releasably retain a workpiece (W) comprising: a body (12); at least one diaphragm (45) carried by the body and

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defining at least in part a fluid chamber (44b) constructed to contain a fluid. The at least one diaphragm having an annular flange portion axially abutting and attached to at least a portion of the body (see figs.1, 5). At least one collet (22) having at least one displacement relief (see fig. 2), a diaphragm engaging surface and a workpiece engaging surface (see fig. 5), and being carried by the body (see figs.1, 5). When the fluid in the fluid chamber is pressurized a drive force is transmitted through the at least one diaphragm and the at least one collet to urge the at least one collet into engagement with the workpiece to releasably retain the workpiece (see Abstract). At least one interengagement feature (48) interengaging the at least one diaphragm, and the at least one collet to resist the at least one collet from twisting relative to the at least one diaphragm (see figs.1, 5). A ring member (21) disposed axially rearward of the at least one collet (see fig.1); and at least one drive pin (26) extending axially through the at least one collet and into a portion of the ring member to resist the at least one collet from twisting relative to the at least one diaphragm (see figs.1, 5).

Claims 1, 2, 9-12, and 19-23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,015,154 to Andre et al.

Andre et al. discloses an apparatus (10) to releasably retain a workpiece (12) comprising: a body (30); at least one diaphragm (26) carried by the body and defining at least in part a fluid chamber (18) constructed to contain a fluid. The at least one diaphragm having an annular flange portion axially abutting and attached to at least a portion of the body (see fig.1). At least one collet (14)

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having at least one displacement relief (24), a diaphragm engaging surface, a workpiece engaging surface, and being carried by the body (see fig.1). When the fluid in the fluid chamber is pressurized a drive force is transmitted through the at least one diaphragm and the at least one collet to urge the at least one collet into engagement with the workpiece to releasably retain the workpiece (see columns 1 and 2, lines 53-67 and 1-2, respectively). At least one interengagement feature (50) interengaging the at least one diaphragm, and the at least one collet to resist the at least one collet from twisting relative to the at least one diaphragm (see fig.1). The apparatus is an arbor such that the workpiece substantially circumscribes the at least one collet and fluid pressure acts through the at least one diaphragm to expand the at least one collet radially outwardly into engagement with the workpiece (see fig.1, and columns 1 and 2, lines 53-67 and 1-2, respectively).

Claims 1, 2, 9, 10, 22, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,441,284 to Mueller et al.

Mueller et al. discloses an apparatus (10) to releasably retain a workpiece (12) comprising: a body (22); at least one drive member (82) carried by the body and defining at least in part a fluid chamber (116) constructed to contain a fluid. The at least one drive member having an annular flange portion axially abutting and attached to at least a portion of the body (see figs.1, 5). At least one driven member (34) is carried by the body (see fig.1), and having at least one displacement relief (38). When the fluid in the fluid chamber is

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pressurized a drive force is transmitted through the at least one drive member and the at least one driven member to urge the at least one driven member into engagement with the workpiece to releasably retain the workpiece (see fig. 5, and column 1, lines 42-57). At least one interengagement feature (132) interengaging the at least one drive member, and the at least one driven member to resist the at least one driven member from twisting relative to the at least one drive member (see fig.1). The apparatus is an arbor such that the workpiece substantially circumscribes the at least one driven member and fluid pressure acts through the at least one drive member to expand the at least one driven member radially outwardly into engagement with the workpiece (see fig.1, and column 1, lines 42-57).

Allowable Subject Matter

Claims 3-6, 8, 13-16, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Abdelwahed whose telephone number is (571) 272-4417. The examiner can normally be reached Monday through Friday from 10:00 A.M. to 6:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on (571) 272-4475.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the examiner or the examiner's supervisor.



MONICA CARTER
SUPERVISORY PATENT EXAMINER

AA
06/23/2006